

DEC 1 7 2004 W

Application for United States Patent

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the origi joint inventor (if plural names a sought on the invention entitled:	re listed below) of the sub	r (if only one name is listed below) or ar ject matter which is claimed and for wh XNTROL APPARATUS, AND COMA	original, first and ich a patent is
COMMUNICA	FION SYSTEM USING TH	IE SAME	
the specification of which: (check one)			
(is attached hereto)		
was filed on as Application and was amen	ember 17, 2003 a Serial No. 10/736, s ded on	903 . (if applicable)	
I hereby state that I ha including the claims, as amended	ve reviewed and understa I by any amendment refer	nd the contents of the above identified s red to above.	pecification,
I acknowledge the duty accordance with Title 37, Code of	to disclose information w of Federal Regulations, §	hich is material to the examination of th	is application in
application(s) for patent or inver	itor's certificate listed hel	tle 35, United States Code, § 119 of any ow and have also identified below any fo ore that of the application on which prio	
Prior Foreign Application(s)			priority
369374/2002	Japan	20/12/2002	claimed
(Number)	(Country)	(Day/Month/Year Filed)	yes no

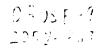
369374/2002 (Number)	Japan (Country)	20/12/2002 (Day/Month/Year Filed)	claimed x yes no
(Number)	(Country)	(Day/Month/Year Filed)	yes no
(Number)	(Country)	(Day/Month/Year Filed)	yes no

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status: patented, pending, abandoned		
Power of Attorney: As a nar	med inventor, I hereby appoint Se	an M. McGinn, Reg. No. 34, 386, and		

Fower of Attorney: As a named inventor, I hereby appoint Sean M. McGinn, Reg. No. 34, 386, and Frederick W. Gibb, III, Reg. No. 37,629, as attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to McGinn & Gibb, PLLC, Customer No. 21254, 8321 Old Courthouse Road, Caite 200, Vienna, Virginia 22182-3817. Telephone calls should be directed to McGinn & Gibb, PLLC at (703) 761-4100.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Full Name of Sole Joint Inventor, If Any	<u>Hideki</u>	OHWADA		**== <u></u>			
nventor's Signature	Hideki	Dhwada		3	Date_	December 18	. 2003
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full Name of Second oint Inventor, If Any					_	·	
nventor's Signature		·			Date_		
Residence							
Citizenship	····						
Post Office Address							
Full Name of Third Joint Inventor, If Any Inventor's Signature					Date		
Residence					Date_		
Citizenship							
Post Office Address							
Full Name of Fourth oint Inventor, If Any							
nventor's Signature		·	··		Date_	· · · · · · · · · · · · · · · · · · ·	
Residence							
Citizenship							
ost Office Address			···				
An additional sheet(s)	is/are attached	hereto if the pres	sent invention inclu	ıdes more	than i	four inventors.)	

*Title 37, Code of Federal Regulations, § 1.56:

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.